

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11572 of 2025

Arising Out of PS. Case No.-552 Year-2024 Thana- DIGHA District- Patna

Md. Amiruddin @ Md. Aamiruddin S/O Mohammad Ataul Haque @ Atual Haque @ Aactual Haque Resident of Village - Bhusaula Danapur, P.S- Phulwari Sharif, Dist- Patna, Bihar- 801505

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manish Kumar Son of Late Pandeshwar Prasad Resident of Shivpuri Anishabad P.S. Gardani Bagh, Patna

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 12762 of 2025

Arising Out of PS. Case No.-552 Year-2024 Thana- DIGHA District- Patna

Md. Karim Alam Son of Md. Anwar Alam Resident of Mohalla- Federal Colony, Phulwari Sharif, P.S.- Phulwari Sharif, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 13180 of 2025

Arising Out of PS. Case No.-552 Year-2024 Thana- DIGHA District- Patna

Md. Azad Son of Md. Khurshid @ Mohammad Khurshid R/O Mohalla- Khalilpura, Ward No. 3, P.S.- Phulwarisharif, District- Patna, Bihar



... .. Petitioner/s

Versus

1. The State of Bihar
2. Manish Kumar Son of Pandeshwar Prasad R/O- Shivpuri, Anishabad, Gardanibagh, Patna, Bihar- 800002

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 11572 of 2025)

For the Petitioner/s : Mr. Brajesh Sahay, Advocate
Mr.Shahid Jawed, Advocate
Mr. Sahid Jawed, Advocate

For the Opposite Party/s : Mr.Madan Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 12762 of 2025)

For the Petitioner/s : Mr.Surya Narayan Sah, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 13180 of 2025)

For the Petitioner/s : Mr.Mrityunjay Kumar, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 11-07-2025 All these three cases are arising out of same P.S being Digha P.S. Case no.552 of 2024 and hence, are being taken up together.

2. Heard learned counsels appearing on behalf of the petitioners and learned APP for the State. However, despite issuance of notice to the informant who was impleaded as party, no one appears on his behalf.

3. The petitioners seek regular bail in connection with Digha P.S. Case no.552 of 2024 registered under Sections 319, 318(4), 318(2), 309(2), 309(4) and 3(5) of the B.N.S. Act, 2023.

4. The prosecution case arises out of negotiation



having been entered between the informant and the accused Pradip Bansal for purchase of a piece of land, for which the informant transferred the amount to some other persons in their account as told by accused Pradip Bansal on 07.08.2024 and 21.08.2024. However, due to some dispute, the deal failed and the said amount of Rs. 50 lakhs, in cash, was returned to the informant. It is alleged that when the informant proceeded towards his house on the vehicle of the accused persons with the driver, a white colour Innova vehicle intercepted the car and four persons in Army attire, on false pretext of checking the vehicle, picked up the bag containing the amount of Rs.50 lakhs of the informant. The informant further states that Md. Asagar Khan and the driver who were earlier sitting in the vehicle with the informant, also sat in the said vehicle and fled towards Ashiyana Road. In these circumstances, the informant was cheated by the accused persons and hence, the F.I.R.

5. Learned counsels for the petitioners submits that petitioners are not named in the F.I.R and their names have transpired during course of investigation when the CCTV footage of the Innova vehicle was looked into and the driver who was identified in the CCTV footage was one Md. Azad (petitioner in Cr. Misc. No. 13180 of 2025). On further



investigation it surfaced that one Md. Amirudin (petitioner in Cr. Misc. No. 11572 of 2025) had taken the police to the place where the vehicle was parked and another witness, namely, Raja Kumar who was present there disclosed upon inquiry that the present vehicle belongs to an Officer and Amit Kumar was the driver of the said vehicle. He further submits that the name of petitioner Md. Karim Alam in Cr. Misc. No. 12762 of 2025 has transpired in the confessional statement of one Md. Azad made before police. The names of all three petitioners have transpired on suspicion as also on confessional statements of co-accused made before police and besides this, no concrete or substantial allegations appear against them. Learned counsel for the petitioners further points out that one of the accused Amit Kumar who is said to be the driver of the said vehicle has already been granted anticipatory bail by this Court vide order dated 19.04.2025 passed in Cr. Misc. No. 77681 of 2024. All the three petitioners are in custody since 24.08.2024 with no criminal antecedent. They undertake to co-operate in the case/trial.

6. The application for bail is opposed by learned A.P.P. for the State.

7. In view of the entire facts and circumstances of the



case and also considering the fact that the petitioners have no criminal antecedent, all the three petitioners, namely, Md. Amiruddin @ Md. Aamiruddin, Md. Karim Alam and Md. Azad are directed to be enlarged on regular bail in connection with Digha P.S. Case no.552 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court.

(Soni Shrivastava, J)

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